

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications)	
In the 800 MHz Band)	WT Docket No. 02-55
)	
Consolidating the 900 MHz Industrial/Land)	
Transportation and Business Pool Channels)	

January 31, 2003

**Joint Comments of the Six Texas NPSPAC Regional Review Committee
Chairmen and the Texas Department of Public Safety to the Supplemental
Comments of the Consensus Parties**

1. The undersigned commentors are the chairmen of all six of the National Public Safety Planning Advisory Committee (NPSPAC) Regional Review Committees having jurisdiction in the State of Texas, and the Director of the Texas Department of Public Safety. Each of the six committees administers local plans for the use of public safety frequencies in the 821-824/866-869 MHz band (821 MHz band) in accordance with the National Plan established by the FCC in the Report and Order in General Docket No. 87-112¹. The Texas Department of Public Safety is responsible for managing statewide interoperability, including administration of the statewide 700 MHz band license.
2. There are public safety radio systems currently licensed and operating in the 821 MHz band in all six Texas regions.
3. All 821 MHz band licensees in Texas are required to be able to operate their radios on one or more of the five channels established by the FCC for

nationwide interoperability in that band. Most licensees have also been required by their local regions to establish repeater infrastructure on one or more of these

five interoperability channels, and to provide monitoring and dispatch-type service on a full-time basis.

4. In addition, three other 821 MHz channels have been designated statewide for direct, low-power, interoperability. These three channels are licensed to the State of Texas Department of Public Safety, and are available to all public safety agencies through letters of agreement.

5. Texas public safety officers in all services frequently cross the state's regional boundaries to perform their duties and assist their neighbors. The ability to effectively communicate on the interoperability channels has proven valuable in all types of emergency operations.

6. The Consensus Plan filed in this proceeding proposes to relocate current 821 MHz licensees region by region according to a priority list. The Supplemental Comments of the Consensus Parties filed on December 24, 2002, suggest that a "Relocation Coordination Committee" develop the priority list and gives an sample priority list as Appendix E-1.

7. We note that this sample priority list separates the six Texas regions, assigning the different regions as priorities 17, 21, 32, 41, 44, and 48.

8. Under the Consensus Plan it is uncertain how much time might lapse between the relocation of each of Texas' regions. Furthermore, the Supplemental Comments of the Consensus Parties allows for the possibility that Nextel's funding could prove to be inadequate², thus possibly halting the relocation process after only some of Texas' regions have been relocated.

9. The incompatibility that would result from having both "current block" interoperability channels and "new block" interoperability channels in different regions of the state at the same time would immediately decrease the level of interoperability in Texas. It would be inconsistent with the current nationwide efforts to increase public safety interoperability.

10. Thus, in order to avoid such an undesirable result, the commentors request that, in any orders that may be made in this proceeding, the Commission order that all regions in the State of Texas be relocated concurrently.

¹ See Report and Order in General Docket No. 87-112, 3 FCC Rcd. No. 4, pages 905-925

² See Supplemental Comments of the Consensus Parties, page 7

Respectfully submitted,

/s/ Col. Thomas Davis
Col. Thomas Davis
Director, Texas Department of Public Safety

/s/ Ron Gillory
Ron Gillory
Chairman, Region 51

/s/ Ronald G. Mayworm
Ronald G. Mayworm
Chairman, Region 49

/s/ Bob Sanders
Bob Sanders
Chairman, Region 52

/s/ B. John McDaniel
B. John McDaniel
Chairman, Region 50

/s/ Robert Adelman
Robert Adelman
Chairman, Region 53

/s/ Dan Scrivner
Dan Scrivner
Chairman, Region 40